

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF **DELAWARE**Magisterial District Number: **32-1-31**MDJ Hon. **PHILLIP S. TURNER, JR**
Address: **1201 HAVERFORD ROAD**
CRUM LYNNE, PA 19022Telephone: **(610)833-2581****POLICE CRIMINAL COMPLAINT**
COMMONWEALTH OF PENNSYLVANIA**VS.**

DEFENDANT:

(NAME and ADDRESS)

DAVID

First Name

EUGENE

Middle Name

DEWALD

Last Name

II

Gen.

650 OLD BERWICK ROAD
BLOOMSBURG, PA 17815**NCIC Extradition Code Type**

- ☒ 1 - Felony Full ☐ 5 - Felony Pend. ☐ C - Misdemeanor Surrounding States ☐ Distance: _____
☐ 2 - Felony Ltd. ☐ 6 - Felony Pend. Extradition Determ. ☐ D - Misdemeanor No Extradition
☐ 3 - Felony Surrounding States ☐ A - Misdemeanor Full ☐ E - Misdemeanor Pending
☐ 4 - Felony No Ext. ☐ B - Misdemeanor Limited ☐ F - Misdemeanor Pending Extradition Determ.

DEFENDANT IDENTIFICATION INFORMATION

Docket Number CR-17-0810	Date Filed 05/11/2016	OTN/LiveScan Number X021294-0	Complaint/Incident Number 00099154/20160511M7450	SID	Request Lab Service? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	DOB 04/29/1976	POB PENNSYLVANIA	Add'l. DOB	Co-Defendants? <input type="checkbox"/>	
RACE <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown ETHNICITY <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown HAIR COLOR <input type="checkbox"/> Gry (Gray) <input type="checkbox"/> Red (Red/Aubn) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> Blk (Black) <input type="checkbox"/> Ong (Orange) <input type="checkbox"/> WHI (White) <input type="checkbox"/> XXX (Ink./Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> Bln (Blonde / Strawberry) EYE COLOR <input type="checkbox"/> Blk (Black) <input checked="" type="checkbox"/> Blu (Blue) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)					
Driver License	State PA	License Number 23891062	Expires 04/30/2020	WEIGHT (lbs.)	
DNA	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO DNA Location			190	
FBI Number	MNU Number			Ft. HEIGHT in.	
Defendant Fingerprinted	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			5	05
Fingerprint Classification					

DEFENDANT VEHICLE INFORMATION

Plate #	State	Hazmat <input type="checkbox"/>	Registration Sticker (MM/YY)	Comm'l Veh Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. Same as Def. <input type="checkbox"/>
VIN	Year	Make	Model	Style	Color		

Office of the attorney for the Commonwealth ☒ Approved ☐ Disapproved because: _____

(The attorney for the Commonwealth may require the complaint, arrest warrant affidavit, or both, be approved by the attorney for the Commonwealth prior to filing. See PA. R. Crim. P 507.)

Michael R. Galantino

(Name of the attorney for the Commonwealth - Please Print or Type)

(Signature of the attorney for the Commonwealth)

5-11-2016

(Date)

I, **DETECTIVE KENNETH BELLIS**

(Name of the Affiant)

of **DELAWARE COUNTY CID**

(Identify Department or Agency Represented and Political Subdivision)

5163/15453

PSP/MPOETC - Assigned Affiant ID Number & Badge #

PA0234800

(Police Agency ORI Number)

do hereby state:

1. ☒ I accuse the above named defendant who lives at the address set forth above
☐ I accuse the defendant whose name is unknown to me but who is described as

☐ I accuse the defendant whose name and popular designation are unknown to me and whom I have
therefore designated as John Doe or Jane Doewith violating the penal laws of the Commonwealth of Pennsylvania at [**023**] **DELAWARE CO CID**
(Subdivision Code) (Place/Political Subdivision)in **DELAWARE** County [**23**] on or about **11 MAY 2016**

(County Code)

(Offense Date)

RECEIVED MAY 12 2016

**POLICE CRIMINAL COMPLAINT**

Docket Number	Date Filed 05/11/2016	OTN/LiveScan Number	Complaint/Incident Number 00099154/20160511M7450
Defendant Name	First DAVID	Middle EUGENE	Last DEWALD

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits 204 PA §§ 213. - 213.7.)

<input checked="" type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903						
<input checked="" type="checkbox"/> Lead?	1	3121	A1	of the	18	1	F1		
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description (Include the name of statute or ordinance): RAPE FORCIBLE COMPULSION									

Acts of the accused associated with this Offense:

RAPE FORCIBLE COMPULSION The Actor, David Eugene Dewald II, in the County of Delaware, commits a felony of the first degree when the person engages in sexual intercourse with a complainant: by forcible compulsion., that is to say the actor, David Eugene Dewald II, in violation of Section 3121 (A) (1) of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 3121 (A) (1)

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903						
<input type="checkbox"/> Lead?	2	3123	A7	of the	18	1	F1		
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description (Include the name of statute or ordinance): IDS1 PERSON LESS THAN 16 YRS AGE									

Acts of the accused associated with this Offense:

IDS1 PERSON LESS THAN 16 YRS AGE The Actor, David Eugene Dewald II, in the County of Delaware, commits a felony of the first degree when the person engages in deviate sexual intercourse with a complainant: who is less than 16 years of age and the person is four or more years older than the complainant and the complainant and person are not married to each other., that is to say the actor, David Eugene Dewald II, in violation of Section 3123 (A) (7) of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 3123 (A) (7)

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903						
<input type="checkbox"/> Lead?	3	3122.1	B	of the	18	1	F1		
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description (Include the name of statute or ordinance): STATUTORY SEXUAL ASSAULT									

Acts of the accused associated with this Offense:

A person commits a felony of the first degree when that person engages in sexual intercourse with a complainant under the age of 16 years and that person is 11 or more years older than the complainant and the complainant and the person are not married to each other.

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<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
<input type="checkbox"/> Lead?	4 Offense #	6318 Section	A1 Subsection
	of the	18 PA Statute (Title)	1 Counts
		F1 Grade	
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
Statute Description (Include the name of statute or ordinance): CONTACT/COMM.W/MINOR-SEXUAL OFFENSES			

Acts of the accused associated with this Offense:

CONTACT/COMM.W/MINOR-SEXUAL OFFENSES The Actor, David Eugene Dewald II, in the County of Delaware, commits an offense if he is intentionally in contact with a minor for the purpose of engaging in an activity prohibited under any of the following, and either the person initiating the contact or the person being contacted is within this commonwealth: Any of the offenses enumerated in Chapter 31 (relating to sexual offenses), that is to say the actor, David Eugene Dewald II, in violation of Section 6318 á(A) (1) of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 6318 á(A) (1)

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input checked="" type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
<input type="checkbox"/> Lead?	5 Offense #	3123 Section	A7 Subsection
	of the	18 PA Statute (Title)	1 Counts
		F1 Grade	
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
Statute Description (Include the name of statute or ordinance): IDSI PERSON LESS THAN 16 YRS AGE			

Acts of the accused associated with this Offense:

IDSI PERSON LESS THAN 16 YRS AGE The Actor, David Eugene Dewald II, in the County of Delaware, commits a felony of the first degree when the person engages in deviate sexual intercourse with a complainant: who is less than 16 years of age and the person is four or more years older than the complainant and the complainant and person are not married to each other., that is to say the actor, David Eugene Dewald II, in violation of Section 3123 (A) (7) of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 3123 (A) (7)

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
<input type="checkbox"/> Lead?	6 Offense #	2901 Section	A.1(3) Subsection
	of the	18 PA Statute (Title)	1 Counts
		F1 Grade	
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
Statute Description (Include the name of statute or ordinance): KIDNAPPING OF A MINOR			

Acts of the accused associated with this Offense:

A person is guilty of kidnapping of a minor if he unlawfully removes a person under 18 years of age a substantial distance under the circumstances from the place where he is found, or if he unlawfully confines a person under 18 years of age for a substantial period in a place of isolation, with the following intention to inflict bodily injury on or to terrorize the victim or another.

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<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
<input type="checkbox"/> Lead?	7 Offense #	3124.1 Section	18 of the
			1 Counts
			F2 Grade
			NCIC Offense Code
			UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone <input type="checkbox"/> Work Zone	
Statute Description (Include the name of statute or ordinance): SEXUAL ASSAULT			

Acts of the accused associated with this Offense:
SEXUAL ASSAULT The Actor, David Eugene Dewald II, in the County of Delaware, Except as provided in section 3121 (relating to rape) or 3123 (relating to involuntary deviate sexual intercourse), a person commits a felony of the second degree when that person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant's consent., that is to say the actor, David Eugene Dewald II, in violation of Section 3124.1 of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 3124.1

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
<input type="checkbox"/> Lead?	8 Offense #	3125 Section	A8 Subsection
			18 of the
			1 Counts
			F2 Grade
			NCIC Offense Code
			UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone <input type="checkbox"/> Work Zone	
Statute Description (Include the name of statute or ordinance): AGG. IND. ASSAULT - COMP. LESS THAN 16			

Acts of the accused associated with this Offense:
AGG. IND. ASSAULT - COMP. LESS THAN 16 The Actor, David Eugene Dewald II, in the County of Delaware, Offenses defined. - Except as provided in sections 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse) and 3124.1 (relating to sexual assault), a person who engages in penetration, however slight, of the genitals or anus of a complainant with a part of the person's body for any purpose other than good faith medical, hygienic or law enforcement procedures commits aggravated indecent assault if: the complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other., that is to say the actor, David Eugene Dewald II, in violation of Section 3125 (A) (8) of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 3125 (A) (8)

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
<input type="checkbox"/> Lead?	9 Offense #	6301 Section	A1II Subsection
			18 of the
			1 Counts
			F3 Grade
			NCIC Offense Code
			UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone <input type="checkbox"/> Work Zone	
Statute Description (Include the name of statute or ordinance): CORRUPTION OF MINORS			

Acts of the accused associated with this Offense:
CORRUPTION OF MINORS The Actor, David Eugene Dewald II, in the County of Delaware, being 18 years of age or upwards, corrupted or tended to corrupt the morals of a child or children under the age of 18, by an act, or aided, abetted, enticed or encouraged said minor in the commission of a crime, or knowingly assisted or encouraged such minor in violating his parole or any court order, namely, David Eugene Dewald II, in violation of Section 6301(a) of the Pennsylvania Crimes Code, Act of December 6, 1972, as amended, 18 Pa. C.S. 6301(a)

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<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A		<input type="checkbox"/> Solicitation 18 902 A	
		<input type="checkbox"/> Conspiracy 18 903		
<input type="checkbox"/> Lead?	10 Offense #	3126 Section	A8 Subsection	of the PA Statute (Title)
			18 Counts	1 Grade
			M2 NCIC Offense Code	 UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone <input type="checkbox"/> Work Zone		
Statute Description (Include the name of statute or ordinance): IND ASSLT PERSON LESS 16 YRS AGE				
Acts of the accused associated with this Offense: IND ASSLT PERSON LESS 16 YRS AGE The Actor, David Eugene Dewald II, in the County of Delaware, who has indecent contact with the complainant or causes the complainant to have indecent contact with the person is guilty of indecent assault if: the complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other., that is to say the actor, David Eugene Dewald II, in violation of Section 3126 (A) (8) of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 3126 (A) (8)				

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2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of section 4904 of the Crimes Code (18 PA C.C. 4904) relating to unsworn falsification to authorities.
4. This complaint is comprised of the preceding page(s) numbered 1 through 5.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of Assembly, or in violation of the statutes cited.
(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

5-11-2016
 (Date)

Hermett Bellus
 (Signature of Affiant)

AND NOW, on this date 05/12/2016 I certify that the complaint has been properly completed and verified.
 An affidavit of probable cause must be completed before a warrant can be issued.

32-1-31
 (Magisterial District Court Number)

[Signature]
 (Issuing Authority)



**POLICE CRIMINAL COMPLAINT**

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AFFIDAVIT of PROBABLE CAUSE

Kenneth Bellis; Detective with the Delaware County District Attorney's Office Criminal Investigation Division, being duly sworn, deposes and states the following:

1. Your Affiant, Detective Kenneth Bellis, Delaware County Criminal Investigation Division (CID), is a member of a Task Force that directs its efforts in the area of Internet Crimes Against Children (ICAC) and is comprised of Federal, State, and Local Law Enforcement. The Task Force is responsible for conducting undercover online investigations, responding to complaints regarding children sexually exploited via the Internet, conducting community education programs, and monitoring of the Internet for the bartering in child pornography. Your Affiant, Detective Bellis has been a law enforcement officer for 25 years. During this time, your Affiant has investigated incidents of child abuse (including child sexual abuse) and child pornography. Your Affiant has received training in the field of child sexual abuse as well as the use of the Internet by sexual offenders to seduce, entice, and gain access to children for the purposes of sexual exploitation.

2. Your Affiant has conducted and participated in numerous investigations regarding child exploitation on the Internet, as well as other investigations involving the use of a computer or computer systems. Your Affiant is familiar with the techniques and methods of operation used by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities. Your affiant has participated in investigations into the activities of individuals involved in sexual assault, the use of the Internet to entice, seduce, and gain access to children, endangering the welfare of a child, terroristic threats, and conspiracy.

3. On May 11, 2016, a 14 year old female victim reported to officials at her High School, that she had been sexually assaulted and raped by a man she met through social media. Detectives from the Delaware County Criminal Investigation and Ridley Township Police responded. Your Affiant and Detective Tankelewicz interviewed the victim who stated that she began communicating with a man later identified as David Dewald II - 40 years old DOB: 4-29-1976, through the instant messaging application KIK. The victim stated that Dewald became aggressive with his communications and convinced her to meet with him on April 29, 2016.

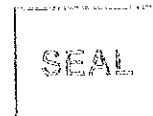
4. The victim stated that Dewald met her in Eddystone, Delaware County and ordered her into his vehicle. The victim stated that she was scared and entered Dewald's red colored SUV. According to the victim, without her

I, **DETECTIVE KENNETH BELLIS (5163)**, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Kenneth Bellis
(Signature of Affiant)

Sworn to me and subscribed before me this 18th day of May, 2016
Date , Magisterial District Judge

My commission expires first Monday of January, 2018



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AFFIDAVIT of PROBABLE CAUSE CONTINUATION

consent, Dewald traveled to his apartment in Bloomsburg, Pennsylvania. The victim stated that during the car ride to Bloomsburg, Dewald exposed his penis, pulled her by the hair, and forced her to perform oral sex on him. The victim stated that Dewald almost crashed his vehicle while forcing her to engage in the sex act.

5. The victim stated that once inside Dewald's apartment, he led her to his bedroom where he forcibly removed her clothes and pushed her onto his bed. The victim stated that Dewald removed his own clothes, got on top of her and forced his penis inside her vagina. The victim stated that Dewald also forced his penis inside her vagina from behind while she was positioned on her knees and elbows. The victim stated that Dewald digitally penetrated her and did ejaculate during the rape. According to the victim, after Dewald was finished, he drove her back to Eddystone, Delaware County and threatened her not to tell anyone.

6. The victim stated that Dewald continued to communicate with her through a free calling application that allows text messages and phone calls. The victim identified Dewald's cellular telephone number as 570-490-8970. The victim stated she was unable end communications with Dewald and was in fear for her safety.

7. The victim told detectives that Dewald ordered her to meet him on May 11, 2016. The victim stated that Dewald told her that he wanted to meet with her after she finished school at approximately 3:30 pm. Your Affiant and Detective Tankelewicz reviewed text messages between the victim and Dewald's cellular telephone number 570-490-8970 that confirm he wanted to meet with the victim.

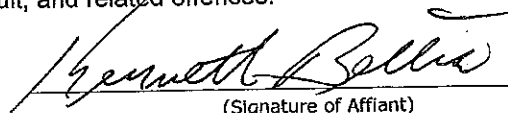
8. On May 11, 2016, at approximately 1:55 pm the 14 year old victim received a text message from Dewald's cellular telephone number 570-490-8970 indicating that he was traveling on the PA Turnpike to meet with her in Eddystone, Delaware County. Additional messages indicated that Dewald expected to arrive in Eddystone, Delaware County at approximately 3:30 PM.

9. With the consent of her father, the 14 year victim allowed your Affiant to record telephone conversations she had with Dewald while he was believed to be traveling into Delaware County, PA.

10. At approximately 3:15 PM, Dewald called the victim. During the conversation, Dewald acknowledged the age difference between himself and the 14 year old victim. Dewald appeared to become angry with the victim when she asked him what they were going to do when they met. Dewald angrily told the victim that she knew what she was going to do that she was going to "blow" him. Dewald's statements indicate that he expected the victim to perform oral sex on him when they met. During conversation, Dewald also acknowledge that he was worried about being caught by the police.

11. At approximately 3:45 PM, Detective Pisani and Detective Tankelewicz observed David Dewald arrive in his red SUV, at the location where he intended to meet with the victim in Eddystone, Delaware County. Detectives along with Eddystone and Ridley Township Police "Anti-Crime Unit" approached Dewald and took him into custody without incident.

12. Based on the information in this affidavit, your Affiant requests that this court accept this criminal complaint and that David Dewald II - DOB 4-29-1976 be required to answer to the above charges which include Kidnapping, Rape, IDSI with a person less than 16 years old, Statutory sexual assault, and related offenses.


(Signature of Affiant)